

**Before The
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

In the Matter of)	
)	
AMENDMENT OF SECTION 74.1204(a))	RM-11099
AND SECTION 73.807 OF THE)	
COMMISSION’S RULES)	
)	

To: The Commission

COMMENTS

NASSAU BROADCASTING II, L.L.C. (“Nassau”) hereby submits comments in support of the Petition for Rulemaking filed by the New Jersey Broadcasters Association (the “Association”).¹

STATEMENT OF INTEREST

Nassau is a New Jersey-based commercial radio broadcast operator. Nassau and its commonly owned and controlled affiliate, Nassau Broadcasting III, L.L.C., hold the licenses of numerous AM and FM radio stations throughout the Northeastern United States and operate several others pursuant to time brokerage arrangements. Among these stations are seven licensed to Nassau for communities in the State of New Jersey, of which four are FM stations, including WPST(FM), Trenton, New Jersey.² Nassau would greatly benefit from adoption of the proposal of the Association.

¹ Nassau’s Comments are timely filed. By Public Notice, Report No. 2676, released October 8, 2004, the Consumer & Governmental Affairs Bureau invited comments on the Association’s Petition.

² There is an application pending for assignment of the license of WOJZ(FM), Egg Harbor City, New Jersey, to Millennium Egg Harbor License Holdco, L.L.C., File No. BALH-20040702AAN.

COMMENTS IN SUPPORT

Nassau fully supports the relief sought by the Association. The existing limitations on broadcasting in New Jersey caused by past allocation policy objectives and decisions have resulted in substantial limitations on service provided by New Jersey broadcasters to their listeners in the state. This has caused specific harm to Nassau as an operator, as well as to the listening public.

As noted in the Association's Comments at p. 39, Nassau's WPST station has an interference area of 675 square kilometers covering 797,661 people as a result of the co-channel translator proposal on Channel 248. See also Exhibit 12 to the Association's Comments. Significantly, the translator application has been filed by WNYC Radio, a New York City-based noncommercial radio operator. Although permitted under the rules, the application merely serves to underscore the Association's point about the dominance of the New Jersey radio market by out-of-state stations, in particular those of the New York metro, as a result of the Commission's allocation and licensing policies.

The Commission should adopt the rulemaking proposal of the New Jersey Broadcasters Association.

Respectfully submitted,

NASSAU BROADCASTING II, L.L.C.



Stephen Díaz Gavin
PATTON BOGGS LLP
2550 M Street, N.W.
Washington, D.C. 20037-1350
202-457-6000

Its Attorneys

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